

VOLUNTARY AGREEMENT

Made this 13th of June, 1994, by and between

NEW JAPAN, INC. t/a SUSHI-TARO.
1503 17th Street, N.W.
("Applicant")

AND

DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION 2B
1347 Connecticut Ave., N.W. Suite 2
Washington, DC 20036
("Protestant")

AND

DUPONT CIRCLE CITIZENS ASSOCIATION
P.O. Box 18162
Washington, DC 20036
("Protestant")

WHEREAS, Applicant's application for renewal of a Retailer's Class "CR" License (App. No. 25553) is pending before the District of Columbia Alcoholic Beverage Control Board ("Board"); and

WHEREAS, the premises 1503 17th Street, N.W. are within the jurisdictional boundaries of Protestant Dupont Circle Advisory Neighborhood Commission 2B (ANC 2B) and Protestant Dupont Circle Citizens Association; and

WHEREAS, Dupont Circle ANC 2B and Dupont Circle Citizens Association are recognized by the Board as a protestants in said case; and

WHEREAS, Applicant and Protestants mutually desire to resolve said protest;

NOW THEREFORE, in consideration of the mutual covenants and promises set forth below, and subject to the approval of this Agreement by the Board, the parties agree as follows:

1) From the date of adoption of this agreement by the Board and throughout the term thereof, Applicant will contract with a pest control company to eliminate rodents from the premises, and will periodically bait the alley to eliminate rodent harborage. To complement these efforts, applicant will provide for trash pickup six days a week, after 7 a.m. and before 7 p.m. Applicant will dispose of all trash or garbage in Dept. of Public Works-approved containers that are kept closed and sealed at all times. Applicant will ensure the area immediately around its outside trash containers are clean and free of debris and trash. Applicant will make its best efforts to keep the area in front of its premises clean and free of trash and debris, as required by

FOR
MR. GAMBLE

25553

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D.C. law.

In consideration of, and reliance upon, the foregoing commitments, and with the understanding that the stated conditions will be made part of Applicant's license, Protestants hereby agree to withdraw their protest to the Applicant's App. No. 25553 and support reissuance of the license.

The Applicant acknowledges that any failure to adhere to the foregoing commitments will constitute grounds for Protestants to petition the Board for revocation of Applicant's ABC license following a Show Cause Hearing pursuant to 23 DCMR 1513.5. or for Protestants to petition the Board to impose any applicable fines for violation of this Agreement, in order to gain Applicant's compliance with this Agreement. Protestants agree to notify Applicant in writing of any alleged violation of this Agreement and shall afford Applicant fourteen (14) calendar days to correct, or to begin to correct, the violation, prior to notifying the Board.

This Agreement shall not preclude Protestants from exercising any other rights under the ABC statute or regulations, nor from challenging Applicant's compliance with any other District of Columbia laws or regulations not covered in this Agreement.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures:

Leifur Gonzalez
for Applicant

for Protestant
Dupont Circle ANC 2B

SEISHI YAMAZAKI
Print Name

Print Name

6/13/94
Date

Date _____

for Protestant
Dupont Circle Citizens Association

Print Name

Date _____

New Japan, Inc.
t/a Sushi-Taro
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Accordingly, it is this _____ day of _____ 1994 ORDERED
that:

1. The protest of Russell Gamble, Chair, on behalf of ANC 2B, be, and the same hereby, is WITHDRAWN;
2. The above-referenced Agreement between the parties be, and the same hereby, is INCORPORATED as part of this Order;
3. The application of New Japan, Inc. t/a Sushi-Taro for a retailer's license class CR - renewal at premises 1503 17th Street, N.W., be, and the same hereby, is GRANTED; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

Mary Eva Candon, Esquire, Chair

James C. Jefferson, Member

James L. O'Dea, III, Esquire, Member

Barbara L. Smith, Esquire, Member